

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TIMOTHY MATTHEWS,

Plaintiff,

v.

MOUNTAIRE FARMS
OF DELAWARE, *et al.*

Defendants.

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Civil Action No. 06-330 GMS

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants, Mountaire Farms of Delaware, Inc., Roland Lynch, Wells Betts, Al Pascaul, Jr., Claudia Pittman, Lori Carey, and Linda Mitchell, hereby move this Court for summary judgment as to all counts in this action pursuant to Rule 56 of the Federal Rules of Civil Procedure. As explained more fully in the accompanying Opening Brief in Support of Defendants' Motion for Summary Judgment and the Appendix, the undisputed evidence shows that there is no genuine issue of material fact for trial and that the Defendants are entitled to judgment as a matter of law.

Respectfully submitted,

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Attorneys for Defendants

July 9, 2007

CERTIFICATE OF SERVICE

This is to certify that Defendants' Motion for Summary Judgment, Opening Brief in Support of Motion for Summary Judgment and Appendix to the Opening Brief were served this 9th day of July, 2007, by First Class mail, postage prepaid, upon:

Timothy Matthews
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Seaford, DE 19973

/s/ Roger D. Landon
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